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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/096,811 06/12/98 MAO

Y ESS.P002

EXAMINER

WM02/0411

WAGNER MURABITO & HAO
TWO NORTH MARKET STREET
THIRD FLOOR
SAN JOSE CA 95113

CHIEU, P

ART UNIT

PAPER NUMBER

2615

DATE MAILED:

04/11/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/096,811

Applicant(s)

MAO ET AL.

Examiner

Polin Chieu

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____.

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. The disclosure is objected to because of the following informalities: "506" on page 13, line 23 should be changed to "606" and "508" on line 26 should be changed to "608".

Appropriate correction is required.

Claim Objections

1. Claim 1 is objected to because of the following informalities: The period on line 2 of the claim should be removed, and "the method" on line 2 should be removed.
Appropriate correction is required.
2. Claims 4 and 9 are objected to because of the following informalities: "the return address" on line 3 of claim 4 and line 3 of claim 9 has no antecedent basis. The examiner has assumed that claim 4 is dependent on claim 2 and claim 9 is dependent on claim 7. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application

by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1, 5, 6, 10-12, and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Mori et al.

Mori et al discloses selecting a video for playback in the browser mode in figure 15; switching from the browser mode to a video mode (col. 22, lines 40-45); playing the video (col. 22, lines 40-45); and returning to the browser mode (col. 22, lines 49-53).

Regarding claim 5, Mori et al discloses that a user (col. 22, lines 25-30) selects the video.

Regarding claim 6, most of the limitations recited in the claim were discussed in the art rejection of claim 1. Please refer to the art rejection of claim 1. Mori et al discloses loading data segments of a browser program (col. 22, lines 5-10) into a memory unit (100) in figure 1.

The limitations recited in claim 10 were discussed in the art rejection of claim 5. Please refer to the art rejection of claim 5.

Regarding claim 11, Mori et al discloses text, graphics, images, audio, and video data in figure 15 (col. 22, lines 5-65). Mori et al also discloses a means for browsing the disk with a first mode without video (figure 15) and a second mode with video only (col. 22, lines 45-50). Finally, Mori et al discloses a means for selecting a video to playback (col. 22, lines 25-30), and for switching from the first mode to the second mode then back to the first mode (col. 22, lines 5-65).

Regarding claim 12, Mori et al discloses a first browser mode in figure 15 and a second video mode (col. 22, lines 45-50).

Regarding claim 15, Mori et al discloses that the user selects the video (col. 22, lines 25-30).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2-4, 7-9, and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mori et al.

Mori et al discloses reserving a portion (32a in figure 3) of memory (100) in figure 12. Mori et al does not explicitly state that the starting and ending address are stored in the memory; however, the AV decoder (col. 22, lines 30-50), locates the video. The AV decoder is reading from the memory (100), and a starting and ending address must be given by the memory (100) so that the video can be played. It would have been highly desirable to have the starting and ending address stored in the memory so that the video could be located and played without reading the data after the end address. Finally, discloses a returning means (col. 49-53). Inherently there must be a return address in the memory, otherwise the device cannot properly return to the browser mode. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have a return, starting, and ending address stored in memory in Mori et al.

Regarding claim 3, Mori et al discloses playing the video from the starting and ending address (col. 22, lines 40-50).

Regarding claim 4, Mori et al discloses returning to a browser mode as discussed previously. Inherently the return address must be read and the return file must be loaded to properly generate the browser menu again. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to read the return address and load the return file in Mori et al.

The limitations recited in claim 7 were discussed in the art rejection of claim 2. Please refer to the art rejection of claim 2.

The limitations recited in claim 8 were discussed in the art rejection of claim 3. Please refer to the art rejection of claim 3.

The limitations recited in claim 9 were discussed in the art rejection of claim 4. Please refer to the art rejection of claim 4.

The limitations recited in claim 13 were discussed in the art rejection of claim 2. Please refer to the art rejection of claim 2.

The limitations recited in claim 14 were discussed in the art rejection of claim 4. Please refer to the art rejection of claim 4.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jeong discloses storing playback control data in memory (234)


figure 3. Hirayama et al discloses a browser menu in figure 5A. Yaegashi et al discloses a browser menu in figure 1 with a means to return (col. 15, lines 20-25).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Polin Chieu whose telephone number is (703) 308-6070. The examiner can normally be reached on M-F 8:30 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on (703) 305-4929. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6306 for regular communications and (703) 308-6306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

PC
April 6, 2001


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
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